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SUPPLEMENT TO THE FEDERATED MALAY STATES GOVERNMENT GAZETTE

OF FRIDAY, THE 13TH OF FEBRUARY, 1920.

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The following Notification is, by direction of the Chief Secretary to Government, published for general information.

O. F. STONOR,
Acting Under Secretary, F.M.S.

No. 771.—WAR SERVICE LAND GRANTS.—

I.—(1) The following are the terms and conditions upon which grants of land in the Federated Malay States (together with assistance by way of loans for the development of the land granted) will be made in consideration of War Service to approved applicants resident in Malaya who are either British subjects or subjects of one or other of the four States.

(2) As the area of land available for allotment under the scheme is limited, especially in the three Western States, it is not to be expected that applicants will in all cases be allotted land in the district or State in which they reside nor that they will be granted the particular portions of land for which they may have applied, but the Committees in each State will endeavour as far as may be to meet the wishes of the applicants in this matter.

(3) Further, it must be understood that the Government cannot accept responsibility or give any guarantee as to the suitability or otherwise of the land allotted to an applicant for agriculture generally or for the particular form of agriculture which the applicant has in view though officers of the Land and Survey Departments will be instructed to give applicants such information as they possess regarding these points.

(4) The approval of applications and the allotment of land will rest in each State with a Committee consisting of the Resident as Chairman and not less than three other members nominated by him. The Committee will have full discretion in dealing with all applications and as to the area to be allotted in each case and may refuse any application without assigning reasons and its decision on all questions that may arise will be final.

(5) The Committee may in its discretion authorize the grant of land without a loan for its development if satisfied that the applicant has ample means at his disposal for that purpose, or may in cases in which the applicant already has land in his name which he desires to develop authorize a loan without a grant of land.

(6) In no case will the loan granted be at a higher rate than \$250 an acre and applications for a larger loan on the ground that this amount is insufficient to bring the land to a profit-bearing stage will not be entertained. The loans are intended to assist the applicant in developing his land but not to provide the whole cost of doing this and applicants must therefore be prepared to put some money into the land themselves in addition to the amount lent by Government.

II.—LAND GRANTS.—

(1) The maximum area granted to any individual under the scheme will be 100 acres and the Committee will have full discretion as to the area to be allotted in each case having regard to the relative advantages and accessibility of the land and the claims of the applicant.

(2) The land allotted will be held by grant under the Land Enactment subject to a special condition that not less than one-quarter of the area granted shall be brought into cultivation in the first year, not less than one-half in the first two years, three-quarters in the first three years and the whole with the exception of any areas necessary to be reserved for the effectual management of the property within four years from the date upon which permission is given to occupy the land. In the case of contiguous blocks allotted under the scheme, the cultivation condition may, with the sanction in writing of the Resident, be held to apply to two or more holdings as if they were held under one title.

(3) The quit rent will be at the rate of ten cents an acre or part of an acre per annum for the first ten years (provided the land continues to be held by the original grantee or his heirs) and thereafter at the rate prevailing in the district at the date of the grant.

(4) No premium will be charged and fees for survey and preparation of title will be remitted. Grants of land under the scheme may be made either to individual approved applicants or to private companies (or syndicates) of approved membership but in the latter case the following provisions must be complied with, viz.:

(i) The private company or syndicate must be composed exclusively of persons eligible for the benefits of this scheme as set forth below (under IV).

(ii) No transfer of the grant or of any interest therein to any individual or company shall be valid unless the sanction in writing of the Resident has first been obtained and no portion of the land shall be charged without the like sanction. Any attempt to transfer or charge the land or any portion of it or any interest in it without such sanction, shall render the land liable to resumption on behalf of the State.

(iii) The Government will retain the right to resume the share of a grantee who ceases to exercise his rights in the land and may allot such share to any other person eligible for the benefits of this scheme.

A grantee who ceases to reside in British Malaya within 10 years from the date of the grant unless for reasons notified to and approved as adequate by the Resident shall be deemed to have ceased to exercise his rights in the land.

(iv) The Articles of Association of any syndicate or private company to which a grant of land is to be made under this scheme must be submitted to and approved by the Resident before registration and the Resident may insert therein any article which may appear to him necessary either to secure that the benefits of the scheme shall continue to accrue only to persons eligible thereto or generally in the public interest.

III.—LOANS.—

(1) Loans will be made to persons admitted to the benefits of the scheme up to a maximum of \$250 for each acre granted and will ordinarily be issued in annual instalments of one-fifth or half yearly instalments of one-tenth of the total amount. In no case will more than \$10,000 be advanced in the course of the first two years without the special sanction of the Resident.

(2) The loans will be a first charge on the land and a charge for the whole amount must be executed on issue of the title. If permission to occupy the land in advance of the issue of title is given an agreement to execute such a charge forthwith on issue of the title must be given.

(3) The loans will bear interest at the rate of 6 per cent. per annum and the interest for each year will be payable on the first day of January of the year following.

(4) The terms of repayment in the case of a loan of \$25,000 will be as follows:

In the 8th year on or before 1st September	...	...	\$1,000
„ 9th „ „ „ „ „	...	...	4,000
„ 10th „ „ „ „ „	...	...	5,000
„ 11th „ „ „ „ „	...	...	7,000
„ 12th „ „ „ „ „	...	...	8,000

In the case of loans of a less amount the terms of repayment will be similar; the amounts to be repaid in each year bearing the same proportion to the total as above. For the purpose of reckoning the due dates of repayment the year in which the first instalment is paid shall be taken to be the first year of the loan provided that if the first instalment is paid in any year later than the 1st September then the following year shall be taken to be the first year. The whole or any part of the loan may be repaid at any time before due date.

(5) As these loans are made for the purpose of the development of the land charged, the Resident may withhold any instalment if he is not satisfied that the money already advanced has been duly expended on the land or is not satisfied that suitable arrangements have been made for the care of the property. Before any instalment (after the first) is paid, the Resident may require a statement of accounts to be furnished.

(6) The Resident shall have the right to foreclose in any of the following events:

(a) If the interest or any instalment of the principal shall remain unpaid for one month after due date.

(b) If the chargor (or person under agreement to charge) dies leaving no known heirs.

(c) If the chargor has been absent from the Federated Malay States for a period of more than eight months without adequate reason shown to the satisfaction of the Resident and without having obtained the sanction of the Resident to arrangements made for the management and care of the property.

(d) If at any time the Resident is satisfied after enquiry that the money lent has not been expended on the land or that owing to neglect the land has ceased to be adequate security for repayment of the loan.

IV.—QUALIFICATIONS AND CLASSIFICATION OF APPLICANTS.—

(1) Applications will only be entertained from persons possessing the following qualifications, viz., that he (or she)

- (a) is a British subject or a subject of one of the four States.
- (b) served in a theatre of war as defined in Appendix A to Army Order 301 of 1919 (*Straits Settlements Gazette* Notification 1698 of 7th November, 1919) as a member of His Majesty's Forces or if a woman as a member of a women formation enrolled under direct contract of service for service with His Majesty's Forces.
- (c) had employment of a permanent nature in the Federated Malay States at the time of the outbreak of war. (This is not intended to exclude applicants temporarily absent from the Federated Malay States at that time provided there had been no determination of employment and the applicant was intending to return to the Federated Malay States.)
- (d) has at the date of application permanent employment in the Federated Malay States or elsewhere in British Malaya (i.e., in the Colony of the Straits Settlements or in one of the unfederated States in the Peninsula under British protection).
- (e) produces a certificate from a qualified Medical Officer of Government that continued residence in Malaya is not likely to prove injurious to his (or her) health.

(2) Applicants who possess all these qualifications will be arranged by the Committees in classes as follows, preference being given in dealing with applications to those placed in Class A over those placed in Class B and so on.

Class A will consist of those who were commissioned or enrolled in His Majesty's Forces (or in the case of women in a women formation as specified above) within six months after the 4th August, 1914, and who satisfy the Committee that in order to join His Majesty's Forces they gave up their employment without any assurance of re-employment or that they otherwise incurred substantial pecuniary loss by joining His Majesty's Forces.

Class B will include all others who were actually commissioned or enrolled within six months after the 4th August, 1914.

Classes C and D will correspond to Classes A and B and include those who were commissioned or enrolled prior to 1st January, 1917, although not within six months of the outbreak of war.

V.—METHOD OF APPLICATION.—

(1) All applications for admission to the benefits of the scheme must be on a printed form as in Schedule A and must be sent in duplicate to the Central Registry, War Service Land Scheme, Kuala Lumpur, where they will be registered and forwarded for consideration to the Resident of the State in which the applicant desires to have the land allotted to him. If the applicant is prepared to accept land in either of two or more States additional copies should be sent accordingly but the order of preference should be stated.

The particulars entered in the form should be as complete as possible in order to save unnecessary correspondence but statements as to the circumstances under which the applicant would be entitled to preferential classification under clause (iv) (2) above should be made the subject of a separate communication which may be sent, if desired, under confidential cover to the Resident.

(2) Applications will be considered by the Committee in each State at the earliest possible date after they are received and except on special grounds no application will be received after the 30th June, 1920.

(3) Applicants who have already selected a particular portion of land which they desire to have allotted to them should apply direct to the Land Office of the district in which it is situated in the ordinary way stating that they have sent in an application for admission to the benefits of the scheme and that they desire the land to be allotted to them under the scheme. Such applications will be reported by the Collector to the State Committee but priority of application in the Land Office application books will not be held to give any prior claim to the land and the Committee may allot the land to any approved applicant under the scheme whether it has been selected by him or not.

SCHEDULE A.

LETTER OF REQUEST FOR ADMISSION TO THE BENEFITS OF THE
WAR SERVICE LAND SCHEME, FEDERATED MALAY STATES.

I beg to request that my name may be noted as an applicant for a grant of land under the above-mentioned scheme and for a loan for the development of any land that may be granted me.

I declare that the particulars given below are true in every respect and I enclose in original a medical certificate from Dr. _____, a qualified Medical Officer in the Government Service, certifying that continued residence in Malaya is not likely to prove injurious to my health.

(Signed).....

Date.....

1. Full name and rank of applicant
2. Present address
3. Nature of employment
4. Salary *
5. Date of leaving Federated Malay States }
prior to joining His Majesty's Forces }
6. Date of receiving commission or enrol- }
ment in His Majesty's Forces }
7. Regiment
8. Particulars of service during the war
9. Date of discharge or demobilisation
10. Grounds of discharge
11. Date of arrival in Malaya after discharge }
or demobilisation }
12. Place and nature of employment in the }
Federated Malay States before join- }
ing His Majesty's Forces and date of }
determination of such employment }
13. Salary at that date *
14. Total length of residence in Malaya
15. State and district in which land is }
desired. (If prepared to accept land }
in either of two or more States men- }
tion them in order of preference) }
16. If a loan is also sought and if so to }
what amount }
17. Private means (if any) available for }
development of land apart from }
salary * }
18. If the applicant already holds land in }
Malaya either in his own name or }
jointly give full particulars of locality, }
cultivation, total area, area under }
cultivation, date of grant, and date }
of transfer to applicant }
19. Names of two persons in Malaya to }
whom reference can be made }
20. If the applicant proposes to join in a }
syndicate or private company of }
persons qualified under the scheme, }
give the names and addresses of the }
proposed members }



* Under separate confidential cover, if desired.